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C O N F I D E N T I A L SECTION 01 OF 03 SUVA 000167

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SUBJECT: FIJI'S ELECTION: THE SYSTEM AND ITS CONSEQUENCES

REF: SUVA 133 (AND PREVIOUS)

Summary

1. (C) The campaign for Fiji's May 6-13 general elections is in full force. Paragraphs 2-7 describe aspects of Fiji's Constitution and current electoral procedures that create complications and make it difficult to predict the winner. Most everyone expects the two largest parties, Prime Minister Qarase's SDL and Opposition Leader Chaudhry's FLP to gain the most seats. Increasing ethnic-Fijian dominance in demographics suggests the SDL should win, but a solid Indian base and a "preference" voting system gives the crafty FLP a chance. Observers from around the world will help judge if the election is "free and fair." Fiji military politicking against the SDL could complicate that judgment. If Qarase's SDL wins and continues past policies, the Fiji military has threatened to remove him. If Chaudhry's FLP wins, ethnic-Fijian nationalists may well plot a repeat of the 2000 coup. Even an orderly election may not guarantee a stable path forward for Fiji. End summary.

A primer on Fiji elections

2. (U) As Fiji prepares for general elections May 6-13, we provide this brief summary of the system under the 1997 Constitution. The basic concept is a Westminster model, with the public electing 71 parliamentarians who select a prime minister from among themselves. The PM selects other parliamentarians to take on ministerial responsibilities for the various government functions. (The PM, Opposition Leader, and Great Council of Chiefs contribute selections for an appointed Senate, as well.) As with any electoral system, the devil is in the details.

Race still counts...

3. (U) The Constitution accepts that Fiji has race-based politics and attempts to moderate that fact. Recognizing history and perceived voter inclinations, most electoral districts are "communal:" 23 are ethnic-Fijian, 19 ethnic-Indian, 3 "General," and one Rotuman (from an island far in Fiji's north). The ratio was believed roughly to reflect actual ethnic percentages as of 1997. When voters register, they declare their ethnicity and provide proof as necessary. In the election, each voter casts a communal vote for a candidate from his/her racial group running for a race-based seat. Three separately-drawn electoral maps are each overlaid across the entirety of Fiji for the 23 Fijian, 19 Indian, and 3 Generals communal seats. The 1997 Constitution instituted a new concept as well: "open" seats. Yet a fourth electoral map is overlaid on the nation, supposedly so that each of 25 "open" seats has roughly equal population. All those registered voters residing in an "open" geographic district are eligible to vote for any

open-seat candidate running in that district, regardless of ethnicity. Thus, every registered voter casts two ballots, one communal and one open. Voting is compulsory. Those who fail to do so can be fined, though implementing that rule has proved difficult.

...With preferences aimed at bridge-building

14. (U) In an attempt to encourage politicians to build bridges across the ethnic divide, the 1997 Constitution instituted "preferential" voting, instead of "first past the post." In order for a candidate to win a seat, that candidate must obtain more than 50% of the vote. If no candidate has achieved that on the first, raw count, the candidate with the lowest raw total drops out and that candidate's votes are redistributed to all other candidates, based on preferences filed by the low-total candidate in advance of the elections. If still no candidate has a majority, again the lowest remaining candidate drops, with that candidate's preferences redistributed, etc. In reality, given a plethora of parties in Fiji, quite a number of candidates only win after receiving others' preferences. Pre-election negotiations among parties for preference allocations are intense.

A complicated ballot; many invalid votes

15. (U) The Fiji ballot is complicated. Each party and independent candidate running in a constituency chooses a symbol. The voter can tick next to a party/independent's symbol "above the line," in which case that ballot is cast for that party/independent and its preferences. Or the voter can number next to the individual candidates "below the line," in which case consecutive numbers must be placed

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beside the names of all candidates who are vying for that constituency's seats. If a voter ticks both above and below the line or numbers only some candidates below the line, the ballot is invalid. In the two elections under the 1997 Constitution (1999 and 2001), many ballots were invalidated, about 12% of those cast in 2001.

Registration complicated, too, with room for errors

16. (SBU) Voter registration is also complicated. To save money, Fiji doesn't register voters continually. A new, mandatory registration takes place in advance of each election. (Proposals are in place to convert to continuous registration. Time will tell whether the next Government will fund the Elections Office sufficiently in the out years to permit that, though New Zealand is prepared to front most of the cost.) Inevitably there are complaints that the intensive, house-to-house voter-registration effort in the lead-up to an election misses some voters or registers some in wrong constituencies or as the wrong ethnic group, either by accident or by malign design. The FLP has alleged thousands were wrongly registered this time around and that the Elections Office has corrected only some of the problems. Interestingly, two FLP politicians are currently under police investigation for allegedly bribing election-registration officials to shift batches of voters across constituency lines.

Census postponed; boundary and voter calculations doubtful

17. (U) By happenstance, 2006 was to be the year both for Fiji's 10-yearly census and for general elections. The Government decided such a juxtaposition would be too complicated and, thus, postponed the census until 2007. In the past ten years, many Fiji citizens have migrated, either from outer areas to Suva and Nadi/Lautoka or from Fiji to places abroad. As a result, election-district boundaries based on the 1996 census are certainly out of date; but with no census data to support changes, Fiji's Electoral Boundaries Commission decided to maintain existing

boundaries. Also, with the existing election districts having very different and uncounted actual populations, it is impossible to know with any certainty whether all or nearly all actual voters have been registered.

What does it all mean for 2006? Open seats are key

¶8. (U) The two biggest parties from the 2001 election, PM Qarase's (predominantly Fijian) SDL and Mahendra Chaudhry's (predominantly Indian) FLP, are expected to win the most seats again in 2006, with each winning most, if not all, of their predominant ethnic group's communal seats, often on the first count. The election will likely hang on the dozen or so open seats where voter registration displays no clear ethnic lead. There, voter turnout and preference allocations among the various more minor parties will matter a lot.

Demographics indicate SDL; Indians' last chance?

¶9. (SBU) Historically in Fiji, Indians have voted in higher percentages than Fijians. Qarase is hoping to change that by adding more polling stations and by appealing to his ethnic-Fijian base to turn out and keep the PM-ship in ethnic-Fijian hands. That message resonates loudly. Interestingly, ethnic-Indian voter registration appears to be down significantly this year, at least in part because of migration abroad, which accelerated after the coup/riots of ¶2000. Another factor, reportedly, is a sense among some in the Indian community that voting is not worth the effort. In the two instances when parties with significant Indian leadership won government (1987 and 1999), coups removed them within a year. Some observers figure, given the demographics, that 2006 is the ethnic Indians' last chance to win a predominance of open seats and thus form a government. Most have presumed, though, given the demographics, that the SDL has the better chance.

Preferences shake SDL confidence? Or a motivating tool?

¶10. (U) Parties officially recorded their preference allocations on April 18. Analysts have since been focusing on how independent candidates and the two biggest of the minor parties, the NFP and the NAP, apportioned open-seat preferences between the SDL and FLP. It appears the minor parties and independents generally distributed high preferences among themselves. When it came to favoring SDL or FLP for last preferences (which could well be crucial), allocations sometimes went on a seat-by-seat basis. On April 20, PM Qarase accused the NFP of bad faith in placing FLP

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ahead of the SDL in preferences for a number of key open seats. Qarase claimed that, as a result, SDL cannot win the election...unless ethnic Fijians turn out in force and cast a majority of the raw vote for SDL. How much of that is genuine concern and how much is political motivation of the Fijian base is unclear.

So many factors, so little certainty

¶11. (C) Given Fiji's mix of communal and open seats, the outdated electoral boundaries, a migration of rural residents to urban areas which changes the ethnic and political mixes across the board, the arrival of a new, multi-ethnic National Alliance Party (NAP), some dissatisfaction with the ability to date of PM Qarase's government to improve the lives of ordinary citizens, concerns about the confrontational leadership style of opposition FLP leader Chaudhry, worries about whether an FLP-led government would stir another ethnic-Fijian-led coup (which factor might move some Indian votes to the NFP party), the Fiji military's repeated interventions into the political process in recent months in tacit opposition to Qarase's SDL, and Commodore Bainimarama's public threats to remove the future government if Qarase wins election and continues past ethnic-oriented policies (refs), it would be foolhardy to predict the election's outcome.

A free and fair election? Observers will help judge

¶12. (U) A number of observers from abroad will be in Fiji for the elections, with sizable delegations from the EU and the Commonwealth. We intend to observe a number of key polling sites using embassy personnel, with the intent to make our own judgment of whether the process appears "free and fair." The University of the South Pacific will send out observers. Each major party will have poll watchers. The media, already reporting heavily and generally independently, will watch as well. The Fiji Police intend to have some 1500 personnel on the electoral beat, both observing polling places and securing ballots through the counting. And the Fiji military will be observing the whole process from its own vantage points. Australian and New Zealand advisors to the elections office predict the process will be within the range of "free and fair." Fiji Police Commissioner Hughes agrees. Military commander Bainimarama has told us he is convinced Qarase and his SDL cohort have already corrupted the process irredeemably. If the SDL loses, it may well be arguable that the Fiji military's blatantly anti-SDL lobbying and threats of a coup in recent months tarnished the process.

And then what? Unstable options?

13 (C) It appears there are two likely outcomes to the election: either Qarase's SDL or Chaudhry's FLP forms the next government, on its own if it has the numbers, or in league with third parties and independent candidates to reach the magic majority of 36 seats. If Qarase's SDL returns and resumes its legislative path toward controversial reconciliation and fishing-rights bills, the specter of Commodore Bainimarama's threat to intervene arises. If after winning the elections, Qarase seeks to have the "system" remove Bainimarama, that could easily be another red-line to trigger military intervention. If Chaudhry's FLP takes power, many will expect ethnic-Fijian nationalists to begin plotting their own coup yet again, despite Fiji military and police intentions to oppose any such action. The only clarity is that no electoral outcome appears an inherently stable path forward for Fiji's democracy.
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